

**REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-24 are now present in the application. Claims 1-24 have been amended. Claims 1 and 17 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Information Disclosure Citation**

Applicants have submitted the references supplied with the Information Disclosure Statement filed on January 4, 2005 for consideration by the Examiner. However, Applicants have not received an initialed copy of the PTO-1449 form indicating that the references have been considered by the Examiner. The Examiner is courteously requested to provide Applicants with an initialed copy of the PTO-1449 form filed therewith with the next official communication.

**Claim Rejections Under 35 U.S.C. §112**

Claims 1-24 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. In particular, claim 5 has been

amended to remove the Chinese character following the first equation. Accordingly, claims 1-24 are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1-13 and 15-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gorio, U.S. Patent No. 5,100,359, in view of Nystad, U.S. Patent No. 2,957,251. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gorio in view of Nystad, and further in view of Miller, U.S. Patent No. 2,957,251. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claim 1 and 17 have been amended to recite a combination of elements including "a hollow globe-like body being entirely formed by the plurality of elements" and "each of the plurality of elements including: a plurality of interfaces being along longitude lines and latitude lines on the hollow globe-like body". Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 1 and 17 is not disclosed nor suggested by the references relied on by the Examiner.

Gorio discloses a toy made of hexagonal elements 2 and pentagonal elements 3 to form a spherical body (see FIG. 1). As shown in FIG. 1 of Gorio, the interfaces of hexagonal elements 2 and pentagonal elements 3 are not along longitude lines and latitude lines on the spherical body. Accordingly, Gorio fails to teach "each of the plurality of said elements including: a plurality of interfaces being along longitude lines and latitude lines on the hollow globe-like body".

Nystad teaches an educational jigsaw globe puzzle including an upper section 18, a lower section 20, a plate 24 permanently secured to the upper section 18 by welding (col. 2, lines 37-41), a plate 30 permanently secured to the upper section 20 by welding (col. 2, lines 48-50), a plurality of segments 44 mounted onto the upper section 18 and the lower section 20 (see FIG. 1), a map 25 of the north polar region secured over the top of the plate 24 (col. 2, lines 42-44), and a map 31 of the south polar region secured over the top of the plate 30 (col. 2, lines 52-54).

The Examiner asserted that it would have been obvious to modify Gorio's hexagonal elements 2 and pentagonal elements 3 in view of Nystad's segments 44 to teach the claimed invention. Applicants respectfully disagree. In particular, Nystad fails to teach that the segments 44 cover the entire globe as recited in claims 1 and 17. As mentioned, the north polar region and the south polar region are merely covered by maps 25 and 31, not covered by the segments 44. Nystad

also fails to teach that the maps 25 and 31 have interfaces along the longitude lines on the globe. By modifying Gorio in view of Nystad, it requires a top element (for north polar region) and a bottom element (for south polar region), in addition to the elements for regions covered by the segments 44. The top and bottom elements would not have the interfaces along the longitude lines on the globe as recited in claims 1 and 17. Accordingly, modifying Gorio in view of Nystad still fails to teach "a hollow globe-like body being entirely formed by the plurality of elements" and "each of the plurality of elements including: a plurality of interfaces being along longitude lines and latitude lines on the hollow globe-like body" as recited in claims 1 and 17.

In addition, Applicants respectfully submit that one skilled in the art would not have the motivation to modify Gorio in view of Nystad. Nystad discloses that the segments 44 are mounted onto the upper section 18 and the lower section 20 of the globe body. In other words, the segments 44 alone cannot form a hollow globe body without the support of the upper section 18 and the lower section 20. On other hand, Gorio's hexagonal elements 2 and pentagonal elements 3 are assembled to form a spherical body without support. Accordingly, one skilled in the art would not have the motivation to modify Gorio's non-supported elements in view of Nystad's support-required elements. It would be impermissible hindsight based on Applicant's own disclosure to

reconstruct the claim by incorporating these references directed to respective elements.

With regard to the Examiner's reliance on Miller, this reference has only been relied on for its teachings related to the subject matter of dependent claim 14. This reference also fails to disclose the above combination of elements as set forth in amended independent claims 1 and 17.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of amended independent claims 1 and 17 or their dependent claims. Therefore, Applicants respectfully submit that claims 1 and 17 and their dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

### **CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

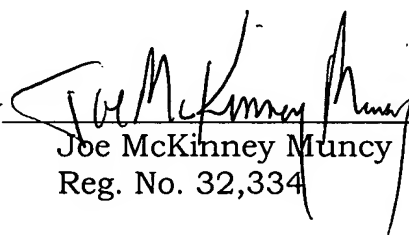
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joe McKinney Muncy  
Reg. No. 32,334

KM/GH/mmi/asc  
3897-0109P



P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000